

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PAUL REECE,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:06CV00833 AGF
)	
MISSOURI DEPARTMENT OF)	
CORRECTIONS, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

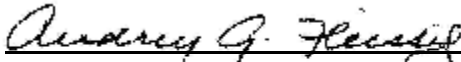
This matter is before the Court on Plaintiff's motion for appointment of counsel. Plaintiff, a Missouri prisoner, brings this action pro se under 42 U.S.C. § 1983, claiming that the dental care provided by Defendants violated his constitutional rights.

There is no constitutional right for a pro se plaintiff to have counsel appointed in a civil case, although a district court has discretion to appoint an attorney to handle such a case when necessary. Phillips v. Jasper County Jail, 437 F.3d 791, 794 (8th Cir. 2006); Davis v. Scott, 94 F.2d 444, 447 (8th Cir. 1996). Among the factors a court should consider in making this determination are the legal and factual complexity of the case; the ability of the plaintiff to investigate the facts and present his claim; and to what degree the plaintiff and the court would benefit from such an appointment. Phillips, 791 F.3d at 794; Edgington v. Mo. Dep't of Corr., 52 F.3d 777, 780 (8th Cir. 1995).

Upon review of the file and the relevant factors, the Court finds that appointment of counsel is unnecessary at this time.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for appointment of counsel is **DENIED** without prejudice. [Doc. # 12]



AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE

Dated this 5th day of October, 2006.